

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 3-4, 6-8, and 10-13 are pending in the application. Claims 1, 3, 4 and 8 are amended; and Claim 14 is canceled by the present amendment. No new matter is presented.

This amendment is submitted in accordance with 37 C.F.R. § 1.116, which after final rejection permits entering of amendments canceling claims, complying with any requirement of form expressly set forth in a previous Office Action or presenting the rejected claims in better form for consideration on appeal. The present amendment complies with a requirement of form expressly set forth in a previous Office Action by correcting minor informalities in independent Claims 1, 3, 4 and 8. It is therefore respectfully requested that the present amendment be entered under 37 C.F.R. § 1.116.

In the Office Action, Claims 1, 3, 4 and 8 were rejected under 35 U.S.C. § 112, second paragraph, and objected to because of minor informalities; and Claims 1, 3, 4, 6-8, and 10-13 were rejected under 35 U.S.C. § 103(a) as unpatentable over Takeshi (JP Pub. No. 11273126) in view of Nuss (U.S. Patent No. 5,789,750) and Pakdaman et al. (U.S. Patent No. 6,594,086, herein Pakdaman).

In response to the rejection of Claims 1, 3, 4 and 8 under 35 U.S.C § 112, second paragraph, these claims are amended to recite “a uppermost portion” and “a lowermost portion,” instead of “the uppermost portion” and “the lowermost portion.” Accordingly, Applicant respectfully requests that the rejection of Claims 1, 3, 4 and 8 under 35 U.S.C § 112, second paragraph, be withdrawn.

Regarding the objection to Claims 1, 3, 4 and 8, these claims are amended as recommended in the Office Action. Accordingly, Applicant respectfully requests that the objection to these claims be withdrawn.

Claims 1, 3, 4, 6-8, and 10-13 were rejected under 35 U.S.C. § 103(a) as unpatentable over Takeshi in view of Nuss and Pakdaman. Applicant respectfully traverses this rejection, as independent Claims 1, 3, 4 and 8 recite novel features clearly not taught or rendered obvious by the applied references.

Independent Claim 1 recites an optical lens comprising:

an optical material comprising an *SiC single crystal*
having a cubic structure...

Independent Claims 3, 4, and 8, while directed to alternative embodiments, recite substantially similar features. Accordingly, the remarks and arguments presented below are applicable to each of independent Claims 1, 3, 4, and 8.

The Office Action relies on Takeshi as disclosing an optical lens comprising an optical material comprising a SiC. More specifically, the Office Action relies on paragraph [0007], ll. 5-6 of Takeshi, which describes that silicon carbide may be used as an ingredient for forming a solid immersion lens.

Takeshi, however, fails to disclose that the optical lens includes an optical material comprising an *SiC single crystal*, as recited in independent Claims 1, 3, 4 and 8. More particularly, Takeshi describes that the lens may be formed of silicon carbide, but fails to disclose that the silicon carbide is an *SiC single crystal*, as claimed.

Nuss is relied upon as disclosing an optical lens made of silicon having a cubic crystal structure. More specifically, the Office Action relies on col. 5, ll. 49-54 of Nuss, which describes that silicon is suitable for a substrate lens 36 because of its cubic crystal structure.

Nuss, therefore, describes that the substrate lens may be formed of silicon having a cubic crystal structure, but fails to disclose the lens includes a *SiC single crystal*, as claimed.

Pakdaman, at col. 7, ll. 31-32, describes forming a lens from silicon to provide a matching index, but fails to disclose any of the more detailed aspects of the lens material, as claimed.

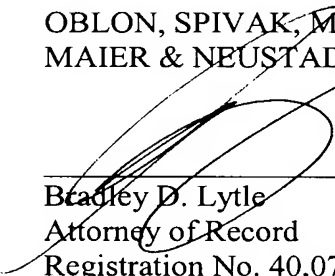
Therefore, Takeshi, Nuss and Pakdaman teach or suggest an optical lens comprising “an optical material comprising an *SiC single crystal* having a cubic structure,” as recited in independent Claims 1, 3, 4 and 8.

Accordingly, Applicant respectfully requests the rejection of Claims 1, 3, 4, and 8 (and the claims that depend therefrom) under 35 U.S.C. § 103 be withdrawn.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1, 3-4, 6-8, and 10-13 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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